

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

OSCAR DE LA RENTA, LTD.,

Plaintiff,

v.

ELIZABETH ARDEN, INC., d/b/a
"EA FRAGRANCES CO.",

Defendant.

Case No. 08 Civ. 5785 (DLC)

**NOTICE OF MOTION FOR
ADMISSION PRO HAC VICE**

PLEASE TAKE NOTICE that, upon the annexed declaration of Lee S. Gayer, Esq., executed on July 22, 2008, plaintiff Oscar de la Renta, Ltd. ("ODLR") will move this Court, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, for an order that Peter M. Brody, Esq., who is a member of the District of Columbia Bar, and a member of Ropes & Gray LLP, be admitted *pro hac vice* for all purposes on behalf of ODLR in this action.

Dated: New York, New York
July 22, 2008

ROPES & GRAY LLP

By: 

Lee S. Gayer

1211 Avenue of the Americas
New York, NY 10036-8704
(212) 596-9000

lee.gayer@ropesgray.com

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OSCAR DE LA RENTA, LTD.,

Plaintiff,

v.

ELIZABETH ARDEN, INC., d/b/a
"EA FRAGRANCES CO.",

Defendant.

Case No. 08 Civ. 5785 (DLC)

**DECLARATION OF
LEE S. GAYER**

Lee S. Gayer declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member in good standing of the bar of this Court, and am counsel with the firm of Ropes & Gray LLP. I make this declaration in support of the motion by plaintiff Oscar de la Renta, Ltd. ("ODLR"), pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, that Peter M. Brody, Esq. be admitted *pro hac vice* for all purposes on behalf of ODLR in this action.

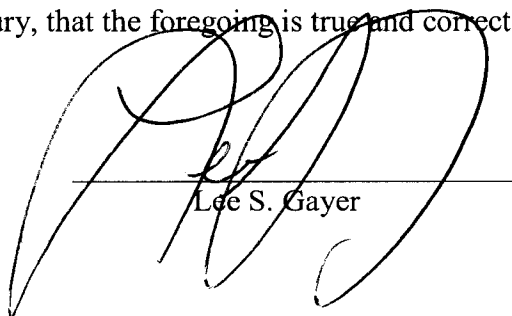
2. Mr. Brody is a member of Ropes & Gray LLP, and is fully familiar with this action.

3. Mr. Brody is a member in good standing of the District of Columbia Bar, as evidenced by the annexed certificate.

4. I respectfully request that this motion be granted in all respects. A proposed order is enclosed herewith.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on July 22, 2008



Lee S. Gayer



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

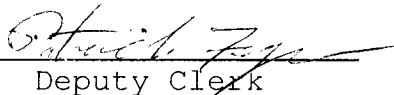
I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

PETER M. BRODY

was on the 5TH day of MAY, 1986,
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on July 8,
2008.

GARLAND PINKSTON, JR., CLERK

By: 
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OSCAR DE LA RENTA, LTD.,

Plaintiff,

v.

ELIZABETH ARDEN, INC., d/b/a
“EA FRAGRANCES CO.”,

Defendant.

Case No. 08 Civ. 5785 (DLC)

**ORDER GRANTING
MOTION FOR ADMISSION
PRO HAC VICE**

Upon the motion of plaintiff Oscar de la Renta, Ltd. (“ODLR”) pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, for an order admitting Peter M. Brody, Esq. *pro hac vice* for all purposes on behalf of ODLR, and for good cause shown, it is hereby

ORDERED that the motion is GRANTED in all respects.

Dated: New York, New York
July 22, 2008

Hon. Denise L. Cote
United States District Judge

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

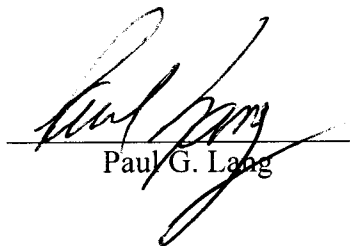
PAUL G. LANG, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age, and reside at 2 Dialstone Lane, Riverside, CT.
2. On July 23, 2008, I served the within Notice of Motion for Admission Pro Hac Vice upon:

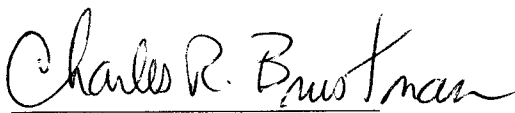
Stewart D. Aaron, Esq.
Louis S. Ederer, Esq.
Arnold & Porter LLP
399 Park Avenue
New York, NY 10022

David Donahue, Esq.
Fross, Zelnick, Lehrman & Zissu, PC
866 United Nations Plaza
New York, NY 10017

by depositing true copies thereof, enclosed in properly addressed postage paid sealed envelopes, into an official depository maintained by the United State Postal Service in the State of New York.


Paul G. Lang

Sworn to before me
July 23, 2008


Notary Public

CHARLES R. BRUSTMAN
Notary Public, State of New York
No. 01BR4799113
Qualified in Nassau County
Commission Expires June 21, 2011